

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

---

ANTHONY GOTTLIEB, Trustee of the  
NITA STRICKLAND BUSH ESTATE  
TRUST and Administrator of BURNING  
BUSH MUSIC,

Plaintiffs,

v.

DDB CHICAGO, INC., and CAPITAL  
ONE FINANCIAL CORPORATION,

Defendants.

---

:

:

:

**Case No.: 07 C 6843**

:

Hon. Joan B. Gottschall

:

Magistrate Judge Geraldine Soat Brown

:

:

:

:

**AGREED MOTION FOR CONFIDENTIALITY AND PROTECTIVE ORDER**

NOW COMES Plaintiff, Anthony Gottlieb, (“Gottlieb”), by his attorney, William L. Niro, and Defendants DDB Chicago, Inc. and Capital One Financial Corp., by its attorney, Ronald Y. Rothstein to respectfully request this court to enter this Agreed Confidentiality and Protective Order. The grounds in Support of this Motion are as follows:

1. DDB Chicago, Inc. provides advertising concepts and material for its clients for use over mediums such as television, radio, and newsprint. Capital One Bank, a subsidiary of Capital One Financial Corp., is a client of DDB Chicago, Inc. whom DDB Chicago, Inc. has produced television commercials for.

2. This case involves Defendants’ advertising practices, which are alleged to violate the Copyright Act of 1976, 17 U.S.C. § 101, *et seq.* (See Complaint, ¶¶ 18-32).

3. Discovery in this case will necessarily involve facts relating to the parties' trade secrets and confidential and sensitive business, financial, and marketing data and information.

4. In the course of this case, the parties will propound discovery that likely will require the parties to divulge their trade secrets and confidential and sensitive business, financial, and marketing data and information.

5. The Agreed Confidentiality and Protective Order attached hereto is drawn to only protect what may constitute legitimate trade secret and confidential business information.

Dated: April 1, 2008

/s/ Ronald Y. Rothstein  
Ronald Y. Rothstein  
Bryna J. Dahlin  
Eric L. Broxterman  
Andrea L. Niemeier  
WINSTON & STRAWN LLP  
35 West Wacker Drive  
Chicago, Illinois 60601  
(312) 558-5600 (Tel)

Attorneys for Defendants

/s/ William L. Niro (by consent)  
William L. Niro  
NIRO, SCAVONE, HALLER & NIRO  
181 W. Madison St., Suite 4600  
Chicago, IL 60602  
Telephone: (312) 236-0733  
Facsimile: (312) 236-1097

Attorney for Plaintiff

**CERTIFICATE OF SERVICE**

The undersigned certifies that he caused a true and correct copy of the attached **Agreed Motion for Confidentiality and Protective Order** to be served on the following via electronic and messenger.

William L. Niro  
Niro, Scavone, Haller & Niro  
181 W. Madison St., Suite 4600  
Chicago, IL 60602-4515  
(312) 236-0733  
fax (312) 236-3137  
wniro@nshn.com

By: /s/ Ronald Y. Rothstein  
rrothstein@winston.com  
Winston & Strawn LLP  
Ronald Y. Rothstein  
Bryna J. Dahlin  
Andrea L. Niemeier  
35 W. Wacker Dr.  
Chicago, IL 60601  
(312)558-5600  
Attorneys for Plaintiff